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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,746	07/14/2003	Tatsuya Shimoda	109486.01	3044
25944	7590	05/16/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			NGUYEN, TUAN H	
			ART UNIT	PAPER NUMBER
			2813	

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/617,746

Applicant(s)

SHIMODA ET AL

Examiner

Tuan H. Nguyen

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SM

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12 is/are allowed.
- 6) ☒ Claim(s) 13-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13, 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Izumi.

See Izumi, figs. 1-7 and related text on col. 1-12 which discloses the claimed manufacturing method of an EL panel including the steps of disposing a second EL element including a TFT above the substrate so as to be arranged adjacent to the first EL display element such that a pitch between adjacent ones of the pixels sections are approximately constant (see col. 1, last two paragraphs).

With respect to claim 14, fig. 1 shows the first circuit sections 3 of the first EL display element 1 is arranged at a side that is not adjacent the second EL element 2 and wherein the second circuit section 3 is arranged at a side that is not adjacent the first EL display element 1.

Claim 15 is rejected under 35 U.S.C. 102(b) as being anticipated by Namiki et al. (cited by applicant).

See Namiki et al., figs. 1-4 and related text on col. 2-4 which discloses the claimed manufacturing method of an EL panel including the steps of forming a layer 21

for filling a gap between the second EL display element 2 and the circuit section 15 (fig. 4).

Claims 16, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Kikuno.

See Kikuno, figs. 1-10 and related text on col. 1-4 which discloses the claimed method of manufacturing an EL panel including the step of providing a substrate 30 (fig. 1) having a first part and a second part; disposing a first EL element 10 on the first part and a second element 10 on the second part as shown in fig. 5, element 10 having the first part d2 being thicker than the second part d1 as shown in fig. 6 and paragraph bridging col. 2-3 (note that the first and second part does not necessarily refer to the first and second part of the substrate), at least a part of the first EL element 10 overlapping the second element 10 as shown in figs. 5-10.

With respect to claim 17, the first element 10 having part 11b being thicker than part 12a of the second EL element (figs. 2-4), at least part 11b of the first element 10 overlapping part 12a of the second EL element 10 (figs. 5-10).

Claim 18 is rejected under 35 U.S.C. 102(b) as being anticipated by Shimazaki.

See Shimazaki, figs. 1-7 and related text on col. 2-8 which discloses the claimed method for forming an EL panel including the step of disposing the first EL panel and the second EL panel on the main substrate (col. 6, fourth paragraph), either the first or the second circuit part 27 not disposed between the first display part and the second display

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part (see figs. 4a-4c and related text which shows the conductive 36 is formed under the display parts of EI panel I and II, or I and IV. The same also shows in fig. 1).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nagae et al., Iida et al., Pierson, Dill et al., Greene et al., and Kawabata et al. are cited as of interest.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Response to Arguments

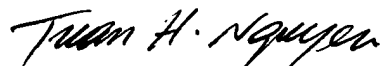
Applicant's arguments filed 3/1/05 have been fully considered but they are not persuasive. With respect to claim 15, since Namiki et al., figs. 1-4 and related text on col. 2-4 which discloses the claimed manufacturing method of an EL panel including the steps of disposing a first display elements 14 having circuit section 15 above the substrate; forming a layer 21 for filling a gap between the second EL display element 14 and the circuit section 15 (fig. 4), and causing extending portion of electrode 12a of one lateral side surface of the left side of the substrate 13a to electrically connect to the extending portion of the transparent electrode 12a of the right side as recognized by the applicant in the Remarks, page 10, first paragraph.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan H. Nguyen whose telephone number is 571-272-1694. The examiner can normally be reached on 9AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead Jr. can be reached on 571-272-1702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Tuan H. Nguyen
Primary Examiner
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